

original

DOCKET FILE COPY ORIGINAL RECEIVED & INSPECTED

AUG 8 2007

FCC - MAIL ROOM

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In re Docket 91-259

Western New Life, Inc.

Construction Permit for WJZG-FM
Facility ID 3250
Culebra, Puerto Rico

To: Office of the Secretary
Att: Peter Doyle, Chief ASD, MB

REQUEST FOR URGENT ACTION

Juan C. Matos Barreto and Ana G. Velez Montes respectively husband and wife and principals of WESTERN NEW LIFE, INC. Construction Permit holder of WJZG-FM, Channel 254A Culebra, Puerto Rico hereby request urgent action from the FCC to establish deadlines (final dates) to implement the changes already approved by the agency since 1999.

This docket modified the licenses of various stations in Puerto Rico and Virgin Islands to allow some upgrades in existing stations, relocations of others to serve new communities of licenses, the creation of a new allotment to bring first local service to Santa Isabel, Puerto Rico and caused a change in the proposed channel for the CP at Culebra.

The FCC usually leaves the implementations of this kind of changes to the good faith negotiations of the parties involved. We wish to inform the FCC that

No. of Copies rec'd
List ABCDE

0 + 4

after a lot of meetings, letters, good faith negotiations, etc., we found that in this eight years the docket is stuck and some important parties who have been ordered to make changes are not interested in implementing the required changes. For example, Univision licensee of station WUKQ-FM (formerly WKJB-FM) refuse to file the 301 application to get the CP on the new frequency as ordered. WIDI-FM refuse to make a compromise to cover the reasonable expenses associated with the changes in this docket, even though WIDI is one of the original proponents in this docket changes. Station WPRM-FM keep a cooperative position to implement the changes but nothing new has happenned after eight years of FCC approval. If the FCC does not take action the implementation of this docket changes will take more than a decade and the Public Interest is losing valuable improvements in radio service that were guaranteed in these docket changes.

Actually the FCC have case precedent where the agency previously took action to protect the public interest and force the parties to implement this kind of changes. And if the FCC does not have the power to implement, then it should not make these decisions in the first place.

The operation of WJZG thru an STA is jeopardized due to an FCC decision to reinstate the license of station WVIS-FM, license to V.I. Stereo Communication, WVIS operate on channel 291B (106.1) and WJZG-FM operates on a temporary basis on channel 293A (106.5Mhz) if WVIS turns on their signal on or before December 6, 2007 station WJZG must cease operation in order to

avoid prohibited interference with WVIS-FM. If that occurs Culebra residents that relay on WJZG for information, music and EAS alerts will lost their only commercial radio station which has been operating continuously by STA since 1998 because there is no channel where the FCC will grant WJZG a license. Its easy to understand the status quo of this situation, all of the others stations involved in docket 91-259 are licensed and operate with the protection of a permanent license, they are WPRM-FM, WUKQ-FM, and WIDI-FM, station WYAS-FM (formerly WSAN-FM) are ready to implement the changes immediately.

The only STA station that operates with a secondary authorization is WJZG-FM, our operation is jeopardized 24 twenty four hours seven days a week, the other not have that pressure all of them have a permanent license.

WUKQ-FM of Univision Radio and WPRM of Uno Radio Group are two of the main stations in revenue here in Puerto Rico and are ranked on the top three stations in Arbitron polls. Both of them are more interested in keeping stations ads sales revenue like a priority and not implement changes that benefit the Public Interest in general. Like the FCC will see eight years of their failure to implement changes ordered by the FCC are the best witness of our arguments.

WIDI-FM enter in the playground of which antenna is less expensive, if the estimates of transmitter retuning cost are acceptable or not, (transmitter cost estimates submitted by affected parties, WPRM and WUKQ which WIDI as the party implementing the rule making, agreed to reimburse). WIDI-FM keeps a strategy to ask the affected parties the same thing thru the years, its main

question being "What brand of antenna you use or you prefer to use? How many bays?, etc." The parties answered that question a lot of years ago and many times since but Arzuaga keeps asking the same questions in his present letters to the affected parties, so is easy to understand that the process lost credibility. Arzuaga of WIDI just does not want to pay.

At this moment and after eight years of long waiting nothing new is happening to implement the changes, we are about to lose our Special Temporary Authorization and nobody cares, if the FCC do not take urgent action it's 1999 decision will be moot in the practice because everybody continue its normal operations and implementation of docket 91-259 will continue to be ignored by the parties here in Puerto Rico. We respectfully request that the FCC takes urgent action and establish specific dates to implement this docket of a decade pending implementation. The Public Interest will be well served and the relief that WJZG deserves to get a permanent authorization will be guaranteed.

Respectfully Submitted,

Juan Carlos Matos Barreto
President WJZG-FM
Western New Life, Inc.

CERTIFICATE OF SERVICE

I, Juan Carlos Matos Barreto, do certify that I have on this 6th day of August, 2007, caused to be mailed by first class mail, postage prepaid, copies of the foregoing "Request for Urgent Action" to the following:

John A. Karousos, Assistant Chief
Audio Division, Media Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Peter Doyle, Chief
Audio Division, Media Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

James L. Oyster, Esq.
Law Offices of James L. Oyster
108 Oyster Lane
Castleton, VA 22716-9720
Counsel to V.I. Stereo Communications Corp, et al. and
Jose Arzuaga

Anthony T. Lepore, Esq., P.A.
P.O. Box 823662
South Florida, FL 33082-3662
Counsel to Arso Radio Group

Scott R. Flick, Esq.
Pillsbury, Winthrop, Shaw, Pittman
2300 N Street, NW
Washington, DC 20037
Counsel to Univision Radio of Puerto Rico, Inc.

William D. Silva, Esq,
5335 Wisconsin Ave., N.W.
Suite 400
Washington, D.C. 20015-2003
Counsel for La Mas Z Radio, Inc.

Amor Radio Group
P.O. Box 1295
Santa Isabel, PR 00757


Juan Carlos Matos Barreto